

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by 1st submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

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TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR POLLUTION CONTROL

PREAMBLE

1. **Sections Affected**

	Rulemaking Action
R18-2-102	Amend
R18-2-333	Amend
R18-2-901	Amend
R18-2-1101	Amend
Appendix 2	Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing and implementing statutes: A.R.S. §§ 49-104(A)(11), 49-404(A), and 49-425(A)
3. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Mark Lewandowski or Martha Seaman, Rule Development Section

Address: Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012-2809

Telephone: (602) 207-2230 or (602) 207-2222
(Any extension may be reached in-state by dialing 1-800-234-5677, and asking for that extension.)

Fax Number: (602) 207-2251
4. **An explanation of the rule, including the agency's reasons for initiating the rule:**

This proposed rule is the Arizona Department of Environmental Quality's (ADEQ) annual update of its New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) incorporations by reference. In addition, this rule includes updates and additions to federal acid rain regulations incorporated by reference.

NSPS/NESHAP regulations. Current regulations incorporated by reference from 40 CFR 60, 61, and 63 are being updated from July 1, 1996, to July 1, 1997. As explained further below, ADEQ is also incorporating new subparts in Part 63.

Acid Rain. Current regulations incorporated by reference from 40 CFR 72, (core acid rain regulations) are being updated from July 1, 1995, to July 1, 1997. ADEQ is also incorporating by reference 40 CFR 74, 75, and 76 in order to expedite issuance of acid rain permits by the federal deadline of December 31, 1997. (See 40 CFR 72.73(b)) ADEQ proposed to add these parts last year but, at the request of industry commenters, decided to postpone incorporating until the U.S. Environmental Protection Agency (EPA) made corrective revisions to certain portions of Part 75. These were made by EPA in a direct final rule issued November 20, 1996, at 61 FR 59142.

Incorporating these regulations by reference as Arizona regulations will expedite the acid rain permit issuance process. ADEQ is obligated under state and federal law to incorporate federal acid rain requirements in the acid rain permits that it issues. (R18-2-306(A)(2); 40 CFR 70.6(a)(1)) However, a provision in the definition of "federal applicable requirement" seems to provide that enacted federal acid rain regulations are not federal applicable requirements until "incorporated [by reference] pursuant to R18-2-333." (See R18-2-101(39)(e); this provision does not exist for other federal applicable requirements.) The EPA deadline for issuance of acid rain permits in Arizona is December 31, 1997. ADEQ therefore cannot consider further postponements to its incorporation by reference of these acid rain regulations.

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ADEQ's intention in updating these incorporations by reference is to continue to obtain delegated authority from EPA to implement and enforce the NSPS/NESHAP and acid rain programs in Arizona.

A description of each new incorporation by reference follows:

NSPS/NESHAP

Part 63, Subpart U--National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins. [Added at 61 FR 46906; September 5, 1996] This action promulgated NESHAP from existing and new plant sites that emit organic hazardous air pollutants (HAP) identified on the EPA's list of 189 HAP. The regulation covers organic HAP emitted during the manufacture of 1 or more elastomers and which have the potential for reduction by implementation of the standard: styrene, n-hexane, 1,3-butadiene, acrylonitrile, methyl chloride, hydrogen chloride, carbon tetrachloride, chloroprene, and toluene.

Part 63, Subpart DD--National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations; Subpart OO--National Emission Standards for Tanks--Level 1; Subpart PP--National Emission Standards for Containers; Subpart QQ--National Emission Standards for Surface Impoundments; Subpart RR--National Emission Standards for Individual Drain Systems; Subpart VV--National Emission Standards for Oil-Water Separators and Organic-Water Separators. [Added at 61 FR 34158; July 1, 1996] These NESHAP apply to specific types of facilities determined to be major sources of HAP emissions and that receive certain wastes, used oil, and used solvents from off-site locations for storage, treatment, recovery, or disposal at the facility. The rule requires use of maximum achievable control technology (MACT) to reduce HAP emissions from tanks, surface impoundments, containers, oil-water separators, individual drain systems, and other material conveyance systems, process vents, and equipment leaks.

The regulatory text that EPA proposed for the Off-Site Waste and Recovery Operations NESHAP included all of the requirements for the rule in a single subpart DD to be added to 40 CFR 63. The EPA decided to promulgate the final requirements for the Off-Site Waste and Recovery Operations NESHAP as the above series of 6 new subparts added to 40 CFR 63.

Part 63, Subpart JJJ--National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins. [Added at 61 FR 48208; September 12, 1996] This action promulgated national emission standards for hazardous air pollutants (NESHAP) from existing and new plant sites that emit organic hazardous air pollutants (HAP) identified on the EPA's list of 189 HAP. The organic HAP are emitted during the manufacture of 1 or more of the following Group IV polymers and resins: acrylonitrile butadiene styrene resin (ABS), styrene acrylonitrile resin (SAN), methyl methacrylate acrylonitrile butadiene styrene resin (MABS), methyl methacrylate butadiene styrene resin (MBS), polystyrene resin, poly (ethylene terephthalate) resin (PET), and nitrile resin.

ACID RAIN

Part 74--Sulfur Dioxide Opt-ins. Promulgated by EPA on April 4, 1995, the Opt-in program allows sources not required to participate in the Acid Rain Program the opportunity to participate on a voluntary basis. Combustion sources not otherwise required to reduce SO₂ emissions can opt in and make incremental, low-cost reductions, which can then be marketed as allowances in the national acid rain trading system to sources such as utilities which may not wish to make the reductions or be able to make them at the same cost. Opt-in sources must obtain title V permits. Under recent guidance, a source wishing to opt-in to the program in Arizona may have to apply directly to EPA for an opt-in permit and EPA would issue the opt-in permit, since Part 74 is not incorporated in Arizona regulations. As the general goal of Arizona's acid rain program is to have as much of the implementation as possible take place through the state rather than federal government, incorporation of Part 74 will allow Arizona to work more effectively with potential opt-in sources from the beginning.

Part 75--Continuous Emission Monitoring. EPA promulgated Part 75, effective January 11, 1993, to ensure compliance with the federal Clean Air Act's Acid Rain Program. EPA received several petitions for review of its January 11, 1993, rule, and promulgated revisions to those rules pursuant to a settlement agreement on May 17, 1995. Initial adverse reaction to the portion of EPA's May 17, 1995, rule dealing with alternative monitoring systems and opacity monitoring for a bypass stack, caused EPA to modify the rule again effective September 7, 1995, and, most recently, on November 20, 1996.

Parts 72, 74, and 76 regularly refer to the methods and procedures in Part 75. ADEQ will be implementing and enforcing the state acid rain program through its Title V permits and believes that implementation of Parts 72, 74, and 76 will be improved with Part 75 as an Arizona regulation. ADEQ is proposing to adopt the version of Part 75 that was effective as of July 1, 1997.

Part 76--Acid Rain Nitrogen Oxides Emission Reduction Program. EPA promulgated Part 76 on March 22, 1994, about 1 week after ADEQ proposed its core acid rain program rule. However, the federal rule, which applied mainly to Phase I acid rain sources, was vacated by a federal court soon thereafter. EPA repromulgated a direct final rule based on the Court's decision and a review of the record effective May 23, 1995. (60 FR 18751) There are no Phase I acid rain sources in Arizona, but ADEQ is now receiving initial Phase II applications. Incorporation of this part will facilitate revision of acid rain permits for Phase II NO_x requirements after 1997.

5. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

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6. The preliminary summary of the economic, small business, and consumer impact:
Identification of the Proposed Rulemaking

NSPS/NESHAP/Acid Rain 1997: A.A.C. 18 A.A.C. 2, Articles 1, 3, 9, and 11, Appendix 2

A Brief Summary of the Information Included in the Economic, Small Business, and Consumer Impact Statement

(Please note that the entire Economic, Small Business, and Consumer Impact Statement is included here. No further materials are included in the rulemaking docket.)

Costs

There are no additional costs to the regulated community when a state agency incorporates a federal standard verbatim. The costs of compliance have already occurred and were considered when the federal regulation was proposed and adopted. The rules proposed today impose no additional costs on the regulated community, small businesses, political subdivisions, or members of the public.

Costs to ADEQ are those that may accrue for implementation and enforcement of the new standards. Although there may be some small incremental costs due to this rulemaking, ADEQ does not intend to hire any additional employees to implement or enforce these rules.

Benefits

Benefits accrue to the regulated community when a state agency incorporates a federal regulation in order to become the primary implementer, because the state agency is closer to those being regulated and therefore is generally easier to reach and resolve differences with. ADEQ, in addition to being closer to regulated sources, has a Small Business Assistance Program for air quality issues, which helps greatly in disseminating information and resolving difficulties, compared with leaving jurisdiction with the U.S. EPA, whose regional office is in San Francisco. Local implementation also reduces travel and communication costs.

Health benefits accrue to the general public whenever strong enforcement of environmental laws takes place. Adverse health effects from air pollution result in a number of economic and social consequences, including:

1. Medical costs. These include personal out-of-pocket expenses of the affected individual (or family), plus costs paid by insurance or Medicare, for example.
2. Work loss. This includes lost personal income, plus lost productivity whether the individual is compensated for the time or not. For example, some individuals may perceive no income loss because they receive sick pay, but sick pay is a cost of business and reflects lost productivity.
3. Increased costs for chores and caregiving. These include special caregiving and services that are not reflected in medical costs. These costs may occur because some health effects reduce the affected individual's ability to undertake some or all normal chores, and he or she may require caregiving.
4. Other social and economic costs. These include restrictions on or reduced enjoyment of leisure activities, discomfort or inconvenience, pain and suffering, anxiety about the future, and concern and inconvenience to family members and others.

Conclusion

In conclusion, the incremental costs associated with this proposed rule are generally low, and apply solely to ADEQ, and the air quality benefits are generally high. In addition, there are benefits to industry from being regulated by a closer government entity. There are no adverse economic impacts on political subdivisions. There are no adverse economic impacts on private businesses, their revenues, or expenditures. Possible employment of new persons has been discussed above, in the context of the impact on state agencies. There are no adverse economic impacts on small businesses, although some regulatory benefits will accrue to them. There are no economic impacts for consumers; benefits to private persons as members of the general public are discussed above in terms of better enforcement. There will be no direct impact on state revenues. There are no other, less costly alternatives for achieving the goals of this rulemaking. The rules are no less stringent and no more stringent than the federal regulations on each subject.

Rule impact reduction on small businesses. A.R.S. § 41-1035 requires ADEQ to reduce the impact of a rule on small businesses by using certain methods when they are legal and feasible in meeting the statutory objectives for the proposed rulemaking. The 5 listed methods are:

1. Establish less stringent compliance or reporting requirements in the rule for small businesses.
2. Establish less stringent schedules or deadlines in the rule for compliance or reporting requirements for small businesses.
3. Consolidate or simplify the rule's compliance or reporting requirements for small businesses.
4. Establish performance standards for small businesses to replace design or operational standards in the rule.
5. Exempt small businesses from any or all requirements of the rule.

The statutory objectives which are the basis of the proposed rulemaking. The general statutory objectives that are the basis of this proposed rulemaking are contained in the statutory authority cited in # 2 of this preamble. The specific objectives are as follows:

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1. Implement rules necessary for EPA delegation of Clean Air Act § 111 (NSPS) program to Arizona.
2. Implement rules necessary for EPA § 112(l) program delegation to Arizona (NESHAP).
3. Implement rules necessary for acid rain program delegation to state of Arizona.

ADEQ has determined that there is a beneficial impact on small businesses in transferring implementation of these rules to the state of Arizona. In addition, for all 3 of these objectives, ADEQ is required to adopt the federal rules without change. ADEQ therefore finds that it is not legal or feasible to adopt any of the 5 listed methods to reduce impact. Finally, where federal rules impact small businesses, EPA is required by both the Regulatory Flexibility Act and the Small Business Regulatory Enforcement and Fairness Act to make certain adjustments in its own rulemakings.

7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Mark Lewandowski, Rule Development Section
Address: Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012-2809
Telephone: (602) 207-2230
Fax Number: (602) 207-2251

8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: September 15, 1997
Time: 11:00 a.m.
Location: Arizona Department of Environmental Quality
Public Hearing Room
3033 North Central Avenue
Phoenix, Arizona

Please call 602-207-4795 for special accommodations pursuant to the Americans with Disabilities Act.

The close of written comment is September 15, 1997.

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.

10. Incorporations by reference and their location in the rules:

New Incorporations by reference	Location
40 CFR 74, 75, and 76	R18-2-333(B)
40 CFR 63, subparts U, DD, OO, PP, QQ, RR, VV, JJJ	R18-2-1101(B)
Updated Incorporations by reference	Location
Miscellaneous parts of 40 CFR referenced in Chapter 2	R18-2-102(3)
40 CFR 72	R18-2-333(A)
40 CFR 60, listed subparts	R18-2-901(A)
40 CFR 61, listed subparts	R18-2-1101(A)
Listed Appendices to 40 CFR 51, 60, 61, 63, 75	18 A.A.C. 2, Appendix 2

11. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY -

AIR POLLUTION CONTROL

ARTICLE 1. GENERAL

Section
R18-2-102. Incorporated Materials

ARTICLE 3. PERMITS AND PERMIT REVISIONS

Section
R18-2-333. Acid Rain

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**ARTICLE 9. NEW SOURCE PERFORMANCE
STANDARDS**

Section

R18-2-901. Standards of Performance for New Stationary Sources

ARTICLE 11. FEDERAL HAZARDOUS AIR POLLUTANTS

Section

R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)

Appendix 2. Test Methods And Protocols

ARTICLE 1. GENERAL

R18-2-102. Incorporated Materials

The following documents are incorporated by reference and are on file with the Office of the Secretary of State and with the Department:

1. The Department's "Arizona Testing Manual for Air Pollutant Emissions," amended as of March 1992 (and no future editions).
2. All ASTM test methods referenced in this Chapter as of the year specified in the reference (and no future amendments). They are available from the American Society for Testing and Materials, 1916 Race St., Philadelphia, PA 19103-1187.
3. All parts of the CFR referenced in this Chapter. They are published in 40 CFR, amended as of July 1, 1995 1997 (and no future amendments), except as otherwise specifically provided. They are available from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.
4. The U.S. Government Printing Office's "Standard Industrial Classification Manual, 1987" (and no future editions).

ARTICLE 3. PERMITS AND PERMIT REVISIONS

R18-2-333. Acid Rain

- A. The following subparts of 40 CFR 72, Permits Regulation, and all accompanying appendices, adopted as of July 1, 1995 1997, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.
1. Subpart A - Acid Rain Program General Provisions.
 2. Subpart B - Designated Representative.
 3. Subpart C - Acid Rain Applications.
 4. Subpart D - Acid Rain Compliance Plan and Compliance Options.
 5. Subpart E - Acid Rain Permit Contents.
 6. Subpart F - Federal Acid Rain Permit Issuance Procedures.
 7. Subpart G - Acid Rain Phase II Implementation.
 8. Subpart H - Permit Revisions.
 9. Subpart I - Compliance Certification.
- B. 40 CFR 74, 75, and 76 and all accompanying appendices, adopted as of July 1, 1997, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.
- C. B. When used in 40 CFR 72, 74, 75, and 76, "Permitting Authority" means the Arizona Department of Environmental Quality and "Administrator" means the Administrator of the United States Environmental Protection Agency.
- D. C. If the provisions or requirements of the regulations incorporated pursuant to this Section conflict with any of the remain-

ing portions of this Title, the regulations incorporated pursuant to this Section shall apply and take precedence.

ARTICLE 9. NEW SOURCE PERFORMANCE STANDARDS

R18-2-901. Standards of Performance for New Stationary Sources

Except as provided in R18-2-902 through R18-2-905, the following subparts of 40 CFR 60, New Source Performance Standards (NSPS) and all accompanying appendices, adopted as of July 1, 1996 1997, and no future editions or amendments, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart D - Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced after August 17, 1971.
3. Subpart Da - Electric Utility Steam Generating Units for Which Construction is Commenced after September 18, 1978.
4. Subpart Db - Industrial-Commercial-Institutional Steam Generating Units.
5. Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units.
6. Subpart E - Incinerators.
7. Subpart Ea - Municipal Waste Combustors for which Construction is Commenced after December 20, 1989, and on or before September 20, 1994.
8. Subpart Eb - Municipal Waste Combustors for which Construction is Commenced after September 20, 1994.
9. Subpart F - Portland Cement Plants.
10. Subpart G - Nitric Acid Plants.
11. Subpart H - Sulfuric Acid Plants.
12. Subpart I - Hot Mix Asphalt Facilities.
13. Subpart J - Petroleum Refineries.
14. Subpart K - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and prior to May 19, 1978.
15. Subpart Ka - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and prior to July 23, 1984.
16. Subpart Kb - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
17. Subpart L - Secondary Lead Smelters.
18. Subpart M - Secondary Brass and Bronze Ingot Production Plants.
19. Subpart N - Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced after June 11, 1973.
20. Subpart Na - Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced after January 20, 1983.
21. Subpart O - Sewage Treatment Plants.
22. Subpart P - Primary Copper Smelters.
23. Subpart Q - Primary Zinc Smelters.
24. Subpart R - Primary Lead Smelters.
25. Subpart S - Primary Aluminum Reduction Plants.
26. Subpart T - Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
27. Subpart U - Phosphate Fertilizer Industry: Superphosphoric Acid Plants.

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28. Subpart V - Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
 29. Subpart W - Phosphate Fertilizer Industry: Triple Superphosphate Plants.
 30. Subpart X - Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
 31. Subpart Y - Coal Preparation Plants.
 32. Subpart Z - Ferroalloy Production Facilities.
 33. Subpart AA - Steel Plants: Electric Arc Furnaces Constructed after October 21, 1974, and on or before August 17, 1983.
 34. Subpart AAa - Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed after August 7, 1983.
 35. Subpart BB - Kraft Pulp Mills.
 36. Subpart CC - Glass Manufacturing Plants.
 37. Subpart DD - Grain Elevators.
 38. Subpart EE - Surface Coating of Metal Furniture.
 39. Subpart GG - Stationary Gas Turbines.
 40. Subpart HH - Lime Manufacturing Plants.
 41. Subpart KK - Lead-Acid Battery Manufacturing Plants.
 42. Subpart LL - Metallic Mineral Processing Plants.
 43. Subpart MM - Automobile and Light Duty Truck Surface Coating Operations.
 44. Subpart NN - Phosphate Rock Plants.
 45. Subpart PP - Ammonium Sulfate Manufacture.
 46. Subpart QQ - Graphic Arts Industry: Publication Rotogravure Printing.
 47. Subpart RR - Pressure Sensitive Tape and Label Surface Coating Operations.
 48. Subpart SS - Industrial Surface Coating: Large Appliances.
 49. Subpart TT - Metal Coil Surface Coating.
 50. Subpart UU - Asphalt Processing and Asphalt Roofing Manufacture.
 51. Subpart VV - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.
 52. Subpart WW - Beverage Can Surface Coating Industry.
 53. Subpart XX - Bulk Gasoline Terminals.
 54. Subpart AAA - New Residential Wood Heaters.
 55. Subpart BBB - Rubber Tire Manufacturing Industry.
 56. Subpart DDD - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
 57. Subpart FFF - Flexible Vinyl and Urethane Coating and Printing.
 58. Subpart GGG - Equipment Leaks of VOC in Petroleum Refineries.
 59. Subpart HHH - Synthetic Fiber Production Facilities.
 60. Subpart III - Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
 61. Subpart JJJ - Petroleum Dry Cleaners.
 62. Subpart KKK - Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
 63. Subpart LLL - Onshore Natural Gas Processing; SO₂ Emissions.
 64. Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
 65. Subpart OOO - Nonmetallic Mineral Processing Plants.
 66. Subpart PPP - Wool Fiberglass Insulation Manufacturing Plants.
 67. Subpart QQQ - VOC Emissions from Petroleum Refinery Wastewater Systems.
 68. Subpart RRR - Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.
 69. Subpart SSS - Magnetic Tape Coating Facilities.
 70. Subpart TTT - Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
 71. Subpart UUU - Calciners and Dryers in Mineral Industries.
 72. Subpart VVV - Polymeric Coating of Supporting Substrates Facilities.
 73. Subpart WWW - Municipal Solid Waste Landfills.
- ARTICLE 11. FEDERAL HAZARDOUS AIR POLLUTANTS**
- R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)**
- A.** Except as provided in R18-2-1102, the following subparts of 40 CFR 61, National Emission Standards for Hazardous Air Pollutants (NESHAPs) and all accompanying appendices, adopted as of July 1, 1996 1997, and no future editions or amendments, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.
1. Subpart A - General Provisions.
 2. Subpart C - Beryllium.
 3. Subpart D - Beryllium Rocket Motor Firing.
 4. Subpart E - Mercury.
 5. Subpart F - Vinyl Chloride.
 6. Subpart J - Equipment Leaks (Fugitive Emission Sources) of Benzene.
 7. Subpart L - Benzene Emissions from Coke By-Product Recovery Plants.
 8. Subpart M - Asbestos.
 9. Subpart N - Inorganic Arsenic Emissions from Glass Manufacturing Plants.
 10. Subpart O - Inorganic Arsenic Emissions from Primary Copper Smelters.
 11. Subpart P - Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production.
 12. Subpart V - Equipment Leaks (Fugitive Emission Sources).
 13. Subpart Y - Benzene Emissions from Benzene Storage Vessels.
 14. Subpart BB - Benzene Emissions from Benzene Transfer Operations.
 15. Subpart FF - Benzene Waste Operations.
- B.** Except as provided in R18-2-1102, the following subparts of 40 CFR 63, NESHAPs for Source Categories and all accompanying appendices, adopted as of July 1, 1996 1997, and no future editions or amendments, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.
1. Subpart A - General Provisions.
 2. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j).
 3. Subpart D - Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants.
 4. Subpart F - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.
 5. Subpart G - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

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6. Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.
7. Subpart I - National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.
8. Subpart L - National Emission Standards for Coke Oven Batteries.
9. Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.
10. Subpart N - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.
11. Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities.
12. Subpart Q - Industrial Process Cooling Towers.
13. Subpart R - Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).
14. Subpart T - Halogenated Solvent Cleaning.
15. Subpart U - National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins
- 15.16. Subpart W - Epoxy Resins Production and Non-Nylon Polyamides Production.
- 16.17. Subpart X - Secondary Lead Smelting.
- 17.18. Subpart CC - Petroleum Refineries.
19. Subpart DD - National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations
- 18.20. Subpart EE - Magnetic Tape Manufacturing Operations.
- 19.21. Subpart GG - Aerospace Manufacturing and Rework Facilities.
- 20.22. Subpart JJ - Wood Furniture Manufacturing Operations.
- 21.23. Subpart KK - Printing and Publishing Industry.
24. Subpart OO - National Emission Standards for Tanks--Level I.
25. Subpart PP - National Emission Standards for Containers.
26. Subpart QQ - National Emission Standards for Surface Impoundments.
27. Subpart RR - National Emission Standards for Individual Drain Systems.
28. Subpart VV - National Emission Standards for Oil-Water Separators and Organic-Water Separators.
29. Subpart III - National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.

Appendix 2. Test Methods and Protocols

The following test methods and protocols are approved for use as directed by the Department pursuant to this Chapter. These standards are incorporated by reference as of July 1, 1996 1997 (and no future editions or amendments), except for incorporation dates specifically provided. These standards are on file with the Department and with the Office of the Secretary of State.

1. 40 CFR 51, Appendix M.
2. 40 CFR 60, all appendices.
3. 40 CFR 61, all appendices.
4. 40 CFR 63, all appendices.
5. 40 CFR 75, all appendices.
6. The Department's "Arizona Testing Manual for Air Pollutant Emissions," (March 1992).